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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 8

PREVENTION OF DISCRIMINATION AGAINST AND THE PROTECTION OF MINORITIES

Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Decaux, Mr. Eide, Mr. El-Hajjé, Mr. Diaz Oribe, Ms. Gwanmesia, Mr. Hatano, Mr. Khalil, Mr. Fix Zamudio, Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Ms. Palley, Mr. Park, Ms. Warzazi, Mr. Weissbrodt, Mr. Yimer and Mr. Zhong: draft resolution

1997/... Prevention of discrimination against and protection of minorities

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling Commission on Human Rights resolution 1995/24 of 3 March 1995 on the rights of persons belonging to national or ethnic, religious and linguistic minorities, in which the Commission, inter alia, decided to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish, initially for a three-year period, an inter-sessional working group consisting of five of its members, to meet each year for five working days in order to promote the rights of persons belonging to minorities,

Noting Commission resolution 1997/16 of 3 April 1997, in which it commended the role of the Working Group on Minorities as an important forum

for the promotion of the rights of persons belonging to minorities and expressed its expectation that the Working Group would further implement its mandate as set out in Commission resolution 1995/24, with the involvement of a wide range of participants,

Having considered the comprehensive report of the Working Group on Minorities on its third session (E/CN.4/Sub.2/1997/18) and in particular the conclusions and recommendations contained in paragraphs 105 to 125 thereof,

Disturbed at the widespread occurrence of violent conflicts in many parts of the world where ethnic or religious hostility is engendered and exploited by one or more of the parties to the conflict,

Reiterating the need for States, minorities and majorities to search for peaceful and constructive solutions to problems affecting minorities,

Emphasizing the need for system-wide cooperation within the United Nations to facilitate peaceful solutions to situations involving minorities,

Underlining the need for close cooperation between the Sub-Commission and the Commission on Human Rights in this field,

1. Welcomes the substantive information submitted to the sessions of the Working Group on Minorities and the dialogue engaged between minorities and Governments, and the report of the Working Group on its third session (E/CN.4/Sub.2/1997/18);

2. Decides to transmit the report of the Working Group on Minorities on its third session to the Commission on Human Rights for consideration;

3. Recommends that the Commission on Human Rights request the Economic and Social Council to authorize the extension of the mandate of the Working Group for a further three years with a view to its holding one session annually;

4. Invites the Working Group to increase its cooperation with the United Nations High Commissioner for Human Rights with a view to strengthening her preventive activities and enhancing her responses to minority situations warranting urgent action;

5. Appeals to all Governments, intergovernmental organizations, United Nations bodies, specialized agencies, non-governmental organizations and scholars to continue to participate actively in the work of the Working Group;

6. Invites the Working Group to elaborate and submit to the Sub-Commission guidelines concerning the content and scope of the principles contained in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, including concrete recommendations for their implementation;

7. Welcomes the seminar on multicultural and intercultural education held on 23 and 24 May 1997 and the recommendations thereof contained in document E/CN.4/Sub.2/AC.5/1997/WP.5, and invites the Working Group to pursue its efforts to organize further seminars, without financial implications, in accordance with the recommendations contained in its reports;

8. Recommends that the Working Group continue the consideration of the issue of citizenship and nationality within the context of minority rights;

9. Requests the Commission on Human Rights to invite States and intergovernmental and non-governmental organizations to provide their comments on The Hague Recommendations regarding the Education Rights of National Minorities (E/CN.4/Sub.2/AC.5/1997/WP.3, annex) in accordance with paragraph 111 of document E/CN.4/Sub.2/1997/18;

10. Requests the Commission on Human Rights to invite States and intergovernmental and non-governmental organizations to provide information on good practices organized according to the principles contained in the Declaration, in accordance with paragraph 109 of document E/CN.4/Sub.2/1997/18;

11. Recommends that minority rights issues and programmes for intercultural education be made a core component of the action plans for the United Nations Decade for Human Rights Education;

12. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child, when considering States parties' reports, give particular attention to the implementation of, respectively, article 27 of the International Covenant on Civil and Political Rights, article 15 of the International Covenant on Economic, Social and Cultural Rights, article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination and article 30 of the Convention on the Rights of the Child, and include in their guidelines an item concerning minorities;

13. Also recommends that the treaty bodies, special rapporteurs, special representatives and the relevant working groups continue to pay due regard, within their mandates, to the principles contained in the Declaration;

14. Requests the competent United Nations organs and bodies and intergovernmental and non-governmental organizations to intensify their efforts to disseminate information on the Declaration and to continue to submit information on the application thereof to the Working Group on Minorities in compliance with article 9 of the Declaration;

15. Recommends that the Office of the United Nations High Commissioner for Human Rights be strengthened to enable it to provide adequate services to the Working Group and to undertake relevant studies, evaluation and action;

16. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of resolution ... of ... August 1997 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, decides to request the Economic and Social Council to authorize the extension of the mandate of the Working Group on Minorities for a further three years with a view to its holding one session annually, namely, in 1998, 1999 and 2000".